



DOCKET NO.: ARC 2865R1

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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APR 30 2003

TECH CENTER 1600/2900

In Re Application of:

LAM, et al.

Confirmation No.:

Application No.: 09/253,317

Group Art Unit: 1614

Filing Date: February 19, 1999

Examiner: Fay, Z.

For: **METHODS AND DEVICES FOR PROVIDING PROLONGED DRUG THERAPY**

DATE OF DEPOSIT: APRIL 24, 2003

I HEREBY CERTIFY THAT THIS PAPER IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS FIRST CLASS MAIL, POSTAGE PREPAID, ON THE DATE INDICATED ABOVE AND IS ADDRESSED TO THE COMMISSIONER OF PATENTS AND TRADEMARKS, WASHINGTON, DC 20231.

TYPED NAME: Joseph Lucci  
REGISTRATION NO.: 33,307

Assistant Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

Pursuant to 37 CFR § 1.56 and in accordance with 37 CFR §§ 1.97-1.98, information relating to the above-identified application is hereby disclosed. Inclusion of information in this statement is not to be construed as an admission that this information is material as that term is defined in 37 CFR § 1.56(b).

- ☐ In accordance with § 1.97(b), since this Information Disclosure Statement is being filed either within three months of the filing date of the above-identified application, within three months of the date of entry into the national stage of the above identified application as set forth in § 1.491, before the mailing date of a first Office Action on the merits of the above-identified application, or before the mailing date of a first Office Action after the filing of request for continued examination under § 1.114, no additional fee is required.

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☐ In accordance with § 1.129(a), this Information Disclosure Statement is being filed in connection with ☐ the first or ☐ second After Final Submission, therefore:

☐ Certification in Accordance with § 1.97(e) is attached; or

☐ The fee of \$180.00 as set forth in § 1.17(p) is attached.

☒ In accordance with § 1.97(c), this Information Disclosure Statement is being filed after the period set forth in § 1.97(b) above but before the mailing date of either a Final Action under § 1.113 or a Notice of Allowance under § 1.311, or before an action that otherwise closes prosecution in the application, therefore:

☐ Certification in Accordance with § 1.97(e) is attached;

or

☒ The fee of \$180.00 as set forth in § 1.17(p) is attached.

☐ In accordance with § 1.97(d), this Information Disclosure Statement is being filed after the mailing date of either a Final Action under § 1.113 or a Notice of Allowance under § 1.311 but before, or simultaneously with, the payment of the Issue Fee, therefore included are: Certification in Accordance with § 1.97(e); and the submission fee of \$180.00 as set forth in § 1.17(p).

☐ Copies of each of the references listed on the attached Form PTO-1449 are enclosed herewith.

☒ Copies of references listed on the attached Form PTO-1449 are enclosed herewith

EXCEPT THAT:

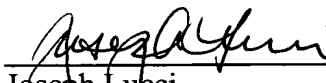
☐ In view of the voluminous nature of references [list as appropriate], and the likelihood that these references are available to the Examiner, copies are not enclosed herewith.

- ☒ In accordance with § 1.98(d), copies of the following references listed on the attached Form PTO-1449 are not enclosed herewith because they were previously cited by or submitted to the U.S. Patent and Trademark Office in patent application(s) for which a claim for priority under 35 U.S.C. § 120 have been made in the instant application:
- ☒ Copies of references **74 & 83** listed on the attached Form PTO-1449 were previously cited by or submitted to the Patent and Trademark Office in prior Application No. **08/967,606**, filed **November 10, 1997**.
- ☐ If any of the foregoing publications are not available to the Examiner, Applicant will endeavor to supply copies at the Examiner's request.

Please charge any deficiency or credit any overpayment to Deposit Account No. 23-3050. This form is submitted in duplicate.

English language abstracts have been provided for those listed references which are not in the English language.

Date: *APRIL 24, 2003*

  
\_\_\_\_\_  
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<b>Form PTO-1449 Modified</b>  List of Patent and Publications Cited by Applicant (Use several sheets if necessary)  U.S. Department of Commerce Patent and Trademark Office	Docket No. ARC 2865R1	Application No. 09/253,317 <b>RECEIVED</b> APR 30 2003 TECH CENTER 1600/2900
	Applicant LAM, et al.	
	Filing Date February 19, 1999	Group 1614

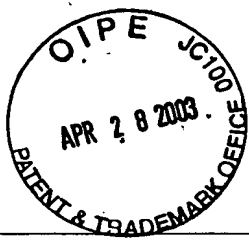
**U. S. PATENT DOCUMENTS**

Examiner Initial		Document No.	Date	Name	Class	Subclass
	1	2,738,303	03/13/56	Blythe	167	82
	2	2,798,053	07/02/57	Brown	260	2.2
	3	2,799,241	07/16/57	Wurster	118	24
	4	2,909,462	10/20/59	Warfield et al.	167	56
	5	3,825,068	07/23/74	Norton et al.	166	305 R
	6	3,845,770	11/05/74	Theeuwes et al.	128	260
	7	3,916,899	11/04/75	Theeuwes et al.	128	260
	8	4,036,228	07/19/77	Theeuwes	128	260
	9	4,063,064	12/13/77	Saunders et al.	219	121 L
	10	4,088,864	05/09/78	Theeuwes et al.	219	121 LM

**FOREIGN PATENT DOCUMENTS**

Examiner Initial		Document No.	Date	Country	Translation	
					YES	NO
	11	0 094 123 A2	11/16/83	EP		
	12	0 212 747 A2 and A3	03/04/87	EP		
	13	0 216 743 A2 and A3	04/01/87	EP	X abstract only	
	14	0 348 808 A2 and A3	01/03/90	EP	X abstract only	
	15	0 381 219 A2 and A3	08/08/90	EP	X abstract only	
	16	0 621 032 A1	10/26/94	EP		

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Examiner Initial		Document No.	Date	Name	Class	Subclass
	17	4,137,300	01/30/79	Sheth et al.	424	21
	18	4,200,098	04/29/80	Ayer et al.	128	260
	19	4,285,987	08/25/81	Ayer et al.	427	3
	20	4,783,337	11/08/88	Wong et al.	424	468
	21	5,017,381	05/21/91	Maruyama et al.	424	472
	22	5,030,456	07/09/91	Ayer et al.	424	473
	23	5,082,668	01/21/92	Wong et al.	424	473
	24	5,089,270	02/18/92	Hampton et al.	424	465
	25	5,094,786	03/10/92	Nagashima et al.	264	40.2
	26	5,178,866	01/12/93	Wright et al.	424	473
	27	5,294,770	03/15/94	Riddle et al.	219	121.7

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Examiner Initial		Document No.	Date	Country	Translation	
					YES	NO
	28	91/03247 A1	03/21/91	WO		
	29	92/01445 A1	02/01/92	WO		
	30	92/04012 A1	03/19/92	WO		
	31	92/18102 A1	10/29/92	WO		
	32	93/05769 A1	04/01/93	WO		
	33	95/19174 A1	07/20/95	WO		
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U. S. PATENT DOCUMENTS						
Examiner Initial	Serial No.	Document No.	Date	Name	Class	Subclass
	35	5,399,828	03/21/95	Riddle et al.	219	121.7
	36	5,422,831	06/06/95	Misra et al.	364	552
	37	5,464,631	11/07/95	Hoover et al.	424	454
	38	5,558,231	09/24/96	Weier	209	580
	39	5,785,994	07/28/98	Wong et al.	424	473
	40	5,824,338	10/20/98	Jacobs et al.	424	460

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Examiner Initial	Serial No.	Document No.	Date	Country	Translation	
					YES	NO
	41	98/06380 A2	02/19/98	WO		
	42	98/14168 A2 and A3	04/09/98	WO		
	43	98/23263 A1	06/04/98	WO		
	44	99/62496 A1	12/9/99	WO		
	45	675379	05/31/66	BE		
	46	2 635 460	05/31/89	FR	X abstract only	
	47	2 620 025	09/01/88	FR	X abstract only	
	48	2 598 319	05/07/87	FR	X abstract only	
	49	2 206 046 A	12/29/88	GB		
	50	2 206 047 A	12/29/88	GB		
	51	1 169 090	06/12/84	CA		

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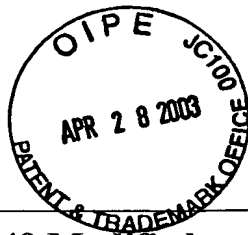
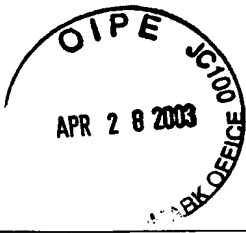
**U. S. PATENT DOCUMENTS**

Examiner Initial		Document No.	Date	Name	Class	Subclass
	52	2,507,631	05/16/50	Hartmann	260	294
	53	2,648,609	8/11/53	Wurster	99	166
	54	2,668,162	02/2/54	Lowe	260	78.3
	55	2,676,945	04/27/54	Niggins	260	45.7
	56	2,957,880	10/25/60	Rometsch	260	294
	57	2,996,431	08/15/61	Barry	167	82
	58	3,139,383	08/15/61	Barry	424	462
	59	3,773,919	11/20/73	Boswell et al.	424	19
	60	3,811,444	05/21/74	Heller et al.	128	26
	61	3,962,414	06/08/76	Michaels	424	19
	62	3,992,518	11/16/76	Chien et al.	424	22
	63	4,066,747	1/03/78	Capozza	424	78
	64	4,070,347	01/24/78	Schmitt	260	77.5
	65	4,079,038	03/14/78	Choi et al.	260	77.5
	66	4,083,949	04/11/78	Benedikt	424	19

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Examiner Initial		Document No.	Date	Name	Class	Subclass
	67	4,093,709	06/06/78	Choi et al.	424	19
	68	4,434,153	02/28/84	Urquhart et al.	424	22
	69	4,721,613	01/26/88	Urquhart et al.	424	19
	70	4,752,470	6/21/88	Mehta	424	458
	71	4,853,229	08/01/89	Theeuwes	424	455
	72	4,111,201	09/05/78	Theeuwes	424	473

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		Filing Date February 19, 1999	
<b>OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)</b>			
	73	Drill, Pharmacology in Medicine, pp. 227 (1965) McGraw-Hill	
	74	Goodman and Gilman's The Basis of Therapeutics, 8 <sup>th</sup> ed., pp. 72 (1990) Pergamom Press	
	75	Merck Index, 11 <sup>th</sup> Edition, pp. 960, Item 6025 (1989)	
	76	Pharmaceutical Sciences by Remington, 17 <sup>th</sup> ed., pp. 342-345 (1985)	
	77	Pharmaceutical Sciences by Remington, 17 <sup>th</sup> ed., pp. 1603-1632 (1985)	
	78	Pharmaceutical Sciences by Remington, 17 <sup>th</sup> ed., Ch. 68, pp. 1305-1306 (1985)	
	79	Journal of the American Pharmaceutical Association, Vol. 48, pp. 451-454 (1959)	
	80	Journal of the American Pharmaceutical Association, Vol. 49, pp. 83-84 (1960)	
	81	Grafton, P./Boonton Molding Co., Modern Plastic Encyclopedia, Vol. 46, pp. 62-70 (1969)	
	82	Wurster, Dale E., The Pharmacological Basis of Therapeutics by Goodman and Gilman, 7 <sup>th</sup> ed., Ch. 23, p. 534 (1940)	
	83	Pharmaceutical Sciences, Remington, 14 <sup>th</sup> Ed., pp. 1626-1679 (1970)	
	84	S. Budavor. Ed., Merck Index 12 <sup>th</sup> Edition, Merck Research Labs (New Jersey, USA) p. 1042 (4/5/96)	
	85	Unknown, "Product Information" Physician's Desk Reference, Medical Economics Data (U.S.A.) p. 856-866 (4/5/91)	
	86	Roff et al., "Cellulose Esthers (I)," Handbook of Common Polymers, CRC Press (U.S.A.) pp. 164-173, (4/5/71)	
	87	Longer, M. A. et al., "Sustained Release Drug Delivery Systems," pp. 1676-1686	
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